

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

Joselito Juarez both individually and on behalf of all other
similarly situated persons,

12-CV-2349 (ARR)(VMS)

Plaintiff,
-against-

NOT FOR
PRINT OR ELECTRONIC
PUBLICATION

Precision Apparel, Inc., Precision Warehousing, Inc., Zhi
Xiong Qiu, Jonny Chen and Susana Chen,

ORDER

Defendants.

X

ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated August 21, 2013, from the Honorable Vera M. Scanlon, United States Magistrate Judge. No objections have been filed. Accordingly, the court has reviewed the Report and Recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord Brissett v. Manhattan & Bronx Surface Transit Operating Auth., No. 09-CV-1930682 (CBA) (LB), 2011 WL 1930682, at *1 (E.D.N.Y. May 19, 2011). Having reviewed the record, I find no clear error. I hereby adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Therefore, the court grants plaintiff's motion for a default judgment against defendants Precision Apparel, Inc., Precision Warehousing, Inc. and Jonny Chen and awards plaintiff a judgment against them for 1) \$2,938.97 in unpaid minimum-wage-and-overtime pay; 2) \$2,938.97 in liquidated damages for his unpaid minimum-wage-and-overtime pay; 3) \$7.25 in

unpaid spread-of-hours pay; 4) \$3,675.00 in attorneys' fees; 5) \$350.00 in costs; and 6) post-judgment interest. The court denies plaintiff's motion for a default judgment against defendants Susana Chen and Zhi Xiong Qiu. The Clerk of Court is directed to enter judgment accordingly. Plaintiff is directed to serve a copy of this order upon defendants and to file proof of service with the court.

SO ORDERED.

s/ ARR

Allyne R. Ross
United States District Judge

Dated: September 12, 2013
Brooklyn, New York